

**ADDENDUM No. 4
TO LANDSCAPE MAINTENANCE AGREEMENT (10144)**

This Fourth Amendment to an Agreement between the CITY OF UPLAND ("City") and BRIGHTVIEW LANDSCAPE SERVICES, INC. ("Contractor") for Landscape Maintenance Services

RECITALS

WHEREAS, on July 29, 2014, the City and Contractor entered into an Agreement between the CITY OF UPLAND, a California municipal corporation, and VALLEY CREST LANDSCAPE SERVICES, INC. a California corporation for Landscape Maintenance Services; and

WHEREAS, on May 13, 2019, the City and Contractor entered into a First Amendment ("Addendum No. 1") to the Landscape Maintenance Agreement (10144) dated July 29, 2014 ("Agreement") by and between the City and BrightView Landscape Services, Inc. as successor-in-interest to Valley Crest Landscape Maintenance, Inc. (each a "Party" and collectively the "Parties") modifying the term of the Agreement; and

WHEREAS, on September 27, 2021, the City and Contractor entered into a Second Amendment ("Addendum No. 2") to the Landscape Maintenance Agreement (10144) dated July 29, 2014 ("Agreement") by and between the City and BrightView Landscape Services, Inc. as successor-in-interest to Valley Crest Landscape Maintenance, Inc. (each a "Party" and collectively the "Parties") modifying the term of the Agreement; and

WHEREAS, on March 28, 2022, the City and Contractor entered into a Third Amendment ("Addendum No. 3") to the Landscape Maintenance Agreement (10144) dated July 29, 2014 ("Agreement") by and between the City and BrightView Landscape Services, Inc. as successor-in-interest to Valley Crest Landscape Maintenance, Inc. (each a "Party" and collectively the "Parties") modifying the term of the Agreement; and

WHEREAS, the Parties wish to extend the Agreement and it now becomes necessary to amend said Agreement and the Parties are desirous of such amendment.

NOW THEREFORE, in consideration of the mutual promises and undertakings of the parties herein set forth to this Agreement agree as follows:

ADDENDUM

1. **Term:** The Parties hereby agree to an extension for Landscape Management Services, dated July 29, 2014 between The City of Upland & BrightView Landscape Services, Inc. through October 31, 2022.
2. **Consumer Price Index:** The Parties agree to a C.P.I. cost increase of 5%.
3. **Services:** In addition to the services provided under the Agreement, Contractor shall provide City with Labor for Maintenance, Trimming, and Weeding of the following HOA Areas.
 - Sycamore Park HOA for \$1,417.50 per month.
 - Harvest HOA for \$892.50 per month.
4. Standard Landscape Maintenance priced at \$58,576.30 per month.
5. Additional or ancillary cost / special projects not to exceed \$20,000.00.
6. Billing for the scope of work will begin on July 1, 2022, which will result in a monthly total of \$60,886.30 four (4) month term, maintenance and ancillary cost will not exceed \$263,545.20

IN WITNESS WHEREOF City and Contractor have executed this Addendum the day and year first herein above

CITY OF UPLAND



Michael Blay, City Manager

ATTEST




Keri Johnson, City Clerk

APPROVED AS TO FORM:



Stephen P. Deutsch, City Attorney

Contractor

By: 

Name: RENE RIVERA

Title: VICE PRESIDENT - GM

By: 

Name: FRED FREUND

Title: SENIOR VICE PRESIDENT